

**Senate Judiciary Committee Amendment No. 3 (by Fowler)
to Senate Judiciary Committee Amendment No. 1**

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 818*

House Bill No. 1677

by deleting subsections (a) and (b) of the amendatory language of Section 1 and by substituting instead the following:

(a) Where the defendant in a criminal case executes a bond or recognizance before any court or other person authorized by law to take the same for the defendant's personal appearance before a court to answer a criminal charge, such bond or recognizance shall be valid and binding upon the defendant and the defendant's sureties thereon until the time allowed by law for the defendant to appeal to the court of criminal appeals. If the defendant timely appeals, the trial judge, after examination of the bond, shall determine either that a new bond must be made or that the original bond is sufficient. If the time for appealing to the court of criminal appeals expires and the defendant has not filed an appeal, the bondsman shall be required to surrender the defendant to the court for service of sentence.

(b) If the defendant timely appeals from the court of criminal appeals to the supreme court, the court of appeals, after examination of the bond, shall determine either that a new bond must be made or that the existing bond is sufficient. If the defendant does not appeal to the supreme court or when the supreme court rules on the appeal, the bondsman shall be required to surrender the defendant. The defendant shall not be required to make any other bond or recognizance unless ordered to do so by the appropriate court because the bond is insufficient in amount, the defendant's sureties are insolvent, the bail is

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forfeited, or any other good and sufficient cause; provided, however, sureties on
the bond may surrender the defendant and be released on the bond as is
provided by law.

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